

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

SMARTPHONE TECHNOLOGIES LLC,	§ § § § § § §	NO. 6:10cv74 LED-JDL PATENT CASE
vs.		
RESEARCH IN MOTION CORPORATION, et al.		

SMARTPHONE TECHNOLOGIES LLC,	§ § § § § § §	NO. 6:10cv580 LED-JDL PATENT CASE
vs.		
HTC CORPORATION, et al.		

ORDER

Before the Court are a number of motions. On February 13, 2013, the Court heard argument. Upon consideration of the parties' argument, the Court **ORDERS**¹ as follows:

1. Samsung Electronics Co., Ltd.'s Motion for Protective Order Under Fed. R. Civ. P. 26 (c) (Doc. No. 508) is **GRANTED** as agreed.
2. Apple Inc. ("Apple") and AT&T Mobility LLC's ("AT&T") Motion to Sever and Stay (Doc. No. 396) is **GRANTED-IN-PART** and **DENIED-IN-PART**. The claims asserted against AT&T shall be stayed pending the resolution of the claims against Apple. While the claims against Apple will not be severed into a separate case with a new civil case number, Apple shall receive a trial separate from the LG Defendants, which will commence on April 8, 2013.
3. Apple and AT&T's Motion to Sever and Transfer, or in Alternative, Motion for a Separate Trial (Doc. No. 459) is **GRANTED-IN-PART** and **DENIED-IN-PART**. The motion to transfer is denied, but the motion for separate trial is granted.

¹ The following motions are filed in Action No. 6:10cv74, unless indicated otherwise.

4. Apple's Motion to Compel SmartPhone Technologies LLC ("SmartPhone") to Produce Documents (Doc. No. 462) is **GRANTED** as instructed. Accordingly, Apple's Request for Expedited Briefing (Doc. No. 497) regarding the Motion to Compel is **DENIED** as **MOOT**.
5. Apple's Emergency Motion to Compel SmartPhone to Produce Rule 30(B)(6) Witnesses for Supplemental Depositions (Doc. No. 490) is **GRANTED** as instructed.²
6. SmartPhone's Motion for Leave to Amend Infringement Contentions Pursuant to P.R. 3-6(b) (Doc. No. 442) is **GRANTED-IN-PART** and **DENIED-IN-PART**. As to Defendant Apple, SmartPhone may amend infringement contentions to include the iPhone 5, but may not amend to include the iPhone 4S, iPad 2, or iPad 3rd generation. As to the LG Defendants, SmartPhone's motion is denied.
7. SmartPhone's Motion for Leave to Amend Infringement Contentions Pursuant to P.R. 3-6(b) (Doc. No. 281)³ against HTC is **GRANTED**.
8. AT&T and Apple's Motion for Leave to Amend Invalidity Contentions (Doc. No. 489) is **GRANTED**.
9. SmartPhone's Motion to Reduce Number of Prior Art Combinations (Doc. No. 486) is **DENIED** as **MOOT**, pursuant to the parties' representation that they will further meet and confer on these issues.

So ORDERED and SIGNED this 14th day of February, 2013.


JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE

² The Court's order as to Doc. Nos. 462 and 490 applies to all Defendants in both actions: Apple, AT&T, the LG Defendants and HTC Defendants.

³ This motion pertains to Action No. 6:10cv580.